APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,632	01/10/2002	Jeff B. Anderson	01545.018b	8609

7590   02/08/2006

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EXAMINER
REILLY, SEAN M

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	10/044,632	ANDERSON ET AL.
Office Action Summary	Examiner	Art Unit
	Sean Reilly	2153

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 November 2005</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>22-40</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>22-40</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　　1.☐ Certified copies of the priority documents have been received.

　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

DETAILED ACTION

This Office action is in response to Applicant's amendment and request for

reconsideration filed on November 7, 2005. New claims 22-40 are presented for further

examination. All previously pending claims have been cancelled.

Specification

1.   Applicant's amendments to the specification as filed July 14, 2005 are accepted and entered

into the record.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   **Claims 22-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barker et**

al. (U.S. Patent Number 6,363,421; hereinafter Barker) and Rangaraian et al. (U.S. Patent

Number 5,828,830; hereinafter Rangarain).

3.   Regarding claims 22 and 25, Barker discloses a reporting and maintenance system for

remotely monitoring or controlling devices in an enterprise, the devices communicating in at

least one enterprise management protocol, said reporting and maintenance system comprising:

❑ a server group including at least one server (Figure 2, Component 32), said server group including network hardware (network connections Figure 3);

❑ at least one non-volatile memory device incorporated to said server group (inherent for the server to operate);

❑ an enterprise including at least one enterprise device (Figure 2, Network Element 14), said enterprise being connected to said server group through said network hardware (Figure 3);

❑ a central information system (enterprise management system for claim 5) connected to said server group through said network hardware (Figure 2, Element Management System Client), said central information system including facilities for the display of the state of said enterprise devices to administrators (Col 5, lines 2-16);

❑ at least one notification device operable by said central information system whereby administrators may be interruptedly alerted to the state of said enterprise devices (Java Applets, Col 5, lines 11-23);

❑ a receiver incorporated with said server group (SNMP Mediator), said receiver receiving first messages from said enterprise devices in at least one enterprise management protocol (SNMP) (Col 21, lines 25-27), said first messages containing status information of the sending enterprise devices (Col 4, lines 45-47);

❑ a forwarder incorporated with said server group, said forwarder forwarding the information contained in the first messages to said central information system (Col 17, lines 5-18); and

❑ a filter incorporated with said server group, said filter filtering the first messages such

that the forwarder is prevented from forwarding of some of the first messages (Col

17, lines 5-18).

However, Barker failed to specifically recite an assigner incorporated with said server,

said server assigning priority to the information in said first messages and said forwarder

forwards the information contained in the first message in preferential order by the assigned

priority. Nonetheless such prioritized identification and sending was widely known in the art at

the time of the invention, as evidenced by Rangaraian. In analogous enterprise management

system Rangaraian disclosed receiving messages (i.e. SNMP traps) from enterprise devices at a

server (network manager), prioritizing the messages (e.g. DISCARD, LOW or HIGH priority),

and sending the messages in preferential order to a central information system (administrator

console system) (see inter alia, Col 2, lines 17-46 or Col 5, lines 14-39). Thus, it would have

been obvious to one of ordinary skill in the art at the time of invention to incorporate the

prioritized identification and sending of enterprise device messages, as disclosed by Rangaraian,

within Barker's system, in order to allow network administrators to identify and respond to the

most important problems of the network while not being overwhelmed with relatively trivial

problems (Rangaraian, Col 1, lines 46-57).

4. Regarding claim 28, Barker discloses a reporting and maintenance system, comprising:

❑ a server group including at least one server (Figure 2, Element Management System

Server); at least one non-volatile memory device incorporated to said server group

(inherent);

- ❏ server network hardware connected to said server group (Figure 3, network connections between the devices), said server network hardware being configurable to provide electronic communication between said server group and a superintendent system (Figure 2, Element Management System Client), said server network hardware being further configurable to provide electronic communication between said server group and at least one enterprise device (Figure 2, Network Element);

- ❏ computer readable instructions installed to said memory devices, said instructions providing the functions of:

- ❏ (i) receiving first messages from enterprise devices in at least one enterprise management protocol (Traps Col 21, lines 25-27);

- ❏ (ii) filtering the first messages, the filtering preventing the forwarding of some of the first messages (Col 17, lines 5-18);

- ❏ (iii) translating the first received messages to a second protocol (Col 21, lines 31-32);

- ❏ (iv) forwarding the information contained in the first messages to a superintendent system (Col 17, lines 5-18);

- ❏ (v) receiving second messages from a superintendent system, said second messages referencing at least one enterprise device; (vi) forwarding the information in the second messages to the referenced enterprise devices; (vii) receiving third messages from the referenced enterprise devices responding to the forwarding of the information in the second messages; and (viii) forwarding the information in the third messages to a superintendent system (Client Command Request and Response process, see example Col 22 lines 46- Col 23 line 4).

However, Barker failed to specifically recite an assigner incorporated with said server, said server assigning priority to the information in said first messages and said forwarder forwards the information contained in the first message in preferential order by the assigned priority. Nonetheless such prioritized identification and sending was widely known in the art at the time of the invention, as evidenced by Rangaraian. In analogous enterprise management system Rangaraian disclosed receiving messages (i.e. SNMP traps) from enterprise devices at a server (network manager), prioritizing the messages (e.g. DISCARD, LOW or HIGH priority), and sending the messages in preferential order to a central information system (administrator console system) (see inter alia, Col 2, lines 17-46 or Col 5, lines 14-39). Thus, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the prioritized identification and sending of enterprise device messages, as disclosed by Rangaraian, within Barker's system, in order to allow network administrators to identify and respond to the most important problems of the network while not being overwhelmed with relatively trivial problems (Rangaraian, Col 1, lines 46-57).

5.   Regarding claims 23 and 26, Barker discloses a translator incorporated with said server group, said translator translating the first received messages to a second protocol used by said forwarder (Col 21, lines 31-34).

6.   Regarding claims 24 and 27, Barker discloses said server network hardware provides encrypted communication between said server group and the central information system (Col 8, lines 45-49).

7. **Claims 29-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barker et al. (U.S. Patent Number 6,363,421; hereinafter Barker) and Fowler et al. (U.S. Patent Number 6,714,977; hereinafter Fowler) and Sampson ("Unicenter TNG for Dummies") and Rangarain et al. (U.S. Patent Number 5,828,830; hereinafter Rangarain) and the knowledge of one of ordinary skill in the art at the time of the invention.**

8. Regarding claims 29, 30, and 36, Barker discloses a transferential system for remotely monitoring or controlling devices in an enterprise, comprising:

- a server group including at least one server (Figure 2, Element Management System Server);

- at least one non-volatile memory device incorporated to said server group (inherent);

- enterprise devices in electronic communication with said server group through said server network hardware (Figure 2, Network Element);

- a central information system in electronic communication with said server group through said server network hardware (Figure 2, Element Management System Client);

- server network hardware connected to said server group, said server network hardware including a gateway (inherent for network connection communication, see connections in Figure 3),

- said server network hardware providing encrypted electronic communication between said server group and said central information system through said gateway (Col 8, lines 45-49), said server network hardware further providing electronic

communication between said server group and said enterprise devices (Figure 3, network connections);

❑ at least one notification device connected to and controllable by said central information system whereby an administrator may be notified of enterprise status (Java Applets, Col 5, lines 11-23);

❑ at least one display device connected to said central information system providing display facilities to administrators (Col 5, lines 2-16);

❑ first computer readable instructions installed to said memory devices, said first instructions providing the function of receiving first messages from enterprise devices in at least one enterprise management protocol including version 1 of SNMP (Traps), said first computer readable instructions providing a message gateway (SNMP Mediator) (Col 21, lines 25-27);

❑ second computer readable instructions installed to said memory devices, said second instructions providing the function of forwarding the information contained in the first messages to a central information system by a notification channel (Col 17, lines 5-18).

❑ third computer readable instructions installed to said memory devices, said third instructions providing the function of filtering the first messages, the filtering preventing the forwarding of some of the first messages, said filtering prescribed by policy (filter) (Col 17, lines 5-18);

- ❏ fourth computer readable instructions installed to said memory devices, said fourth instructions providing the function of assigning priority to the information in said first messages (Col 34, lines 51-60);

- ❏ fifth computer readable instructions installed to said memory devices, said instructions providing the function of translating the first received messages to a second protocol, said first, second, third, fourth, and fifth computer readable instructions providing an event translator (Col 21, lines 31-32);

The following instructions (6-8) relate to a client issuing a command. (i.e. a command from the central information system routed through the server group to an enterprise device. See example (Col 22, line 46 –Col 23, line 6) and the references below.

- ❏ sixth computer readable instructions installed to said memory devices, said instructions providing the function of receiving second messages from a central information system through a notification channel, said second messages referencing at least one enterprise device (Col 22, lines 49-59);

- ❏ seventh computer readable instructions installed to said memory devices, said instructions providing the function of translating the second received messages to an enterprise management protocol utilized by the referenced enterprise devices (Col 19, lines 13-23);

- ❏ eighth computer readable instructions installed to said memory devices, said instructions providing the function of forwarding the information in the second messages to the referenced enterprise devices in at least one enterprise management

protocol including version 1 of the simple network management protocol (Col 22,

lines 64-67) or (Col 19, lines 55-60),

❑ said sixth, seventh, and eighth computer readable instructions providing an SNMP

translator (Col 19, lines 13-23);

❑ said tenth instructions providing the function of receiving a software upgrade from a

central information system, said tenth instructions also providing the function of

delivering the software upgrade to enterprise devices (Col 30, lines 1-25).

However, Barker failed to specifically recite an assigner incorporated with said server,

said server assigning priority to the information in said first messages and said forwarder

forwards the information contained in the first message in preferential order by the assigned

priority. Nonetheless such prioritized identification and sending was widely known in the art at

the time of the invention, as evidenced by Rangaraian. In analogous enterprise management

system Rangaraian disclosed receiving messages (i.e. SNMP traps) from enterprise devices at a

server (network manager), prioritizing the messages (e.g. DISCARD, LOW or HIGH priority),

and sending the messages in preferential order to a central information system (administrator

console system) (see inter alia, Col 2, lines 17-46 or Col 5, lines 14-39). Thus, it would have

been obvious to one of ordinary skill in the art at the time of invention to incorporate the

prioritized identification and sending of enterprise device messages, as disclosed by Rangaraian,

within Barker's system, in order to allow network administrators to identify and respond to the

most important problems of the network while not being overwhelmed with relatively trivial

problems (Rangaraian, Col 1, lines 46-57).

Barker also fails to disclose the following:

❑   a cabinet housing said server group;

❑   a first network enabled temperature sensor, said first temperature sensor positioned to

monitor the temperature of the air at the interior of said cabinet; a second network

enabled temperature sensor, said second temperature sensor positioned to monitor the

temperature of the air outside said cabinet;

❑   at least one door included in said cabinet whereby access to said server group is

restricted when said doors are in closed position; locks included in said doors

whereby said doors may be secured in a closed position, said locks enabled to unlock

through an electronic command message from a central information system;

❑   a data entry device connected to said locks, said data entry device being mounted to

said cabinet, said data entry device providing a human interface external to the

cabinet enclosure; said locks enabled to be unlocked through said data entry device;

❑   an alarm in proximity to said server group;

❑   a network enabled power controller connected to and being configurable to control

the power of at least one server of said server group, said power controller being

configurable to accept network commands from a central information system;

Nevertheless, such physical computer room equipment and monitoring mechanisms were

well known in the art at the time of the invention, as evidenced by Fowler. In a related art, a

method for monitoring computer networks and equipment (abstract). Fowler discloses a cabinet

housing a server group (rack, Figure 1, Component 12). Fowler further discloses monitoring the

air temperature (Col 7, lines 11-13), an alarm (Col 7, lines 26-27), a camera (Col 7, lines 29-33)

and a network enabled power controller connected to and being configurable to control the

power of at least one server of said server group, said power controller being configurable to

accept network commands from a central information system (Col 10, lines 38-41). It would

have been obvious to one of ordinary skill in the art at the time of the invention to incorporate

the network monitoring devices disclosed by Fowler within the Barker system in order to alert

network administrators to out of limit environmental variables which damage computer

equipment (Fowler Col 2, lines 38-40).

Although Fowler fails to disclose at least one door included in said cabinet whereby

access to said server group is restricted when said doors are in closed position; locks included in

said doors whereby said doors may be secured in a closed position, said locks enabled to unlock

through an electronic command message from a central information system; the importance of

physically securing computer systems was well known in the art at the time of the invention as

disclosed by Fowler (Fowler Col 2, lines 30-31). Further, the Examiner takes official notice that

doors containing locally/remotely controllable locks were well known in the art at the time of the

invention. Thus, it would have been obvious to one of ordinary skill in the art at the time of the

invention to use industry standard security measures such as placing a door with a

locally/remotely controllable lock on the rack disclosed by Fowler, in order to further secure the

sever components.

Barker fails to disclose ninth computer readable instructions installed to said memory

devices, said ninth instructions providing the function of accepting network parameters that

define the boundaries of an enterprise, said ninth instructions also providing the function of

discovering enterprise devices through said server network hardware using the network

parameters. In a related art, Sampson discloses an enterprise management system which

provides the function of accepting network parameters that define the boundaries of an

enterprise, and discover enterprise devices through said server network hardware using the

network parameters (Sampson pg 22-23). It would have been obvious to one of ordinary skill in

the art at the time of the invention to incorporate Sampson's enterprise discovery functionality

within Barker system in order to automate the entry and management of enterprise devices

(Sampson pg 22).

Regarding the limitation at least two servers providing redundancy of operation, the

Examiner takes official notice that it was well known in the art at the time of the invention to use

multiple servers in a redundant fashion in order to maintain network sustainability for clients. It

would have been obvious to one of ordinary skill in the art at the time of the invention to use

redundant servers in the Barker system in order to maintain network sustainability for clients.

9.   Regarding claim 31, Barker discloses an information repository collector receiving the

information contained in the first messages; and an information repository storing information

received by said information repository (Polled Attribute Management Col 25, lines 40-60).

10. Regarding claims 32 and 37, Barker further discloses an MIB mapper tool supplying SNMP

mappings for said seventh computer readable instructions whereby an enterprise device identifier

of the notification channel protocol may be converted to an SNMP OID (Col 19, lines 24-38).

11. Regarding claims 33 and 38, Barker discloses an integration tool connected to said MIB

mapper tool, said integration tool receiving parameters from an administrator, said integration

tool creating MIB entries to the MIB mapper tool (Col 14, lines 11-20).

12. Regarding claims 34 and 39, Barker discloses a policy repository connected to said

integration tool, said policy repository supplying typified policy for newly entered enterprise

devices by said integration tool (Col 14, lines 35-49).

13. Regarding claims 35 and 40, Barker discloses a trap manager connected to said central

information system, said trap manager generating enterprise device status requests for

unrecoverable trap events (Col 21, lines 1-23).

Conclusion

14.   The prior art made of record, in PTO-892 form, and not relied upon is considered pertinent

to applicant's disclosure.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,
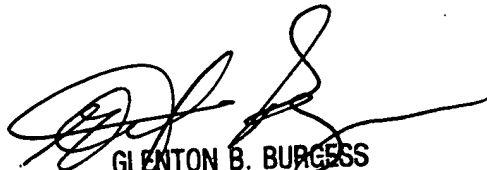
however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sean Reilly whose telephone number is 571-272-4228. The

examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

2/3/2006

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